

**Security Council**

Distr.: General
26 July 2000

Original: English

**Letter dated 25 July 2000 from the Chargé d'affaires a.i. of the
Permanent Mission of the Federal Republic of Yugoslavia to the
United Nations addressed to the President of the Security Council**

I am writing to bring to your attention the case of Miroljub Momcilovic, 60, and his sons Jugoslav, 32, and Boban, 25. These three Serbs from Gnjilane, Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, have been detained at Camp Bondsteel, the military base of the United States contingent of the Kosovo Force (KFOR), since 10 July 1999, charged with the murder of ethnic Albanian Afrim Gatica.

On 24 July 2000, the so-called international judge Patrice de Charette read the statement of Robert Black, an American corporal with KFOR, before the court at Gnjilane, in which he said that he had fired in self-defence into the shed in which, according to officials of the United Nations Interim Administration Mission in Kosovo (UNMIK), Gatica was killed. Corporal Black's statement in concession of the murder is part of the official report of the United States contingent of KFOR on the event and was accepted by the court at Gnjilane as evidence on the day of its reading. Instead of setting Mr. Momcilovic and his sons free after the main hearing on 24 July, Judge de Charette adjourned the session, asking the United States Army's investigation department to provide "new evidence", and extended the detention of the Serbs.

It took the United States contingent more than a year to provide evidence in this case. The concealment of truth is mystifying and accounted for the imprisonment of three innocent Serbs for more than a year. Grist to the mill of the campaign of terror and vilification of ethnic Albanian extremist terrorists against the Serbs, it also served to destroy the few remaining vestiges of confidence of Serbs and other non-Albanians in Kouchner's justice.

The incident is illustrative of the practice of arbitrary arrest of the Serbs of Kosovo and Metohija who are detained without firm evidence, on trumped-up charges and most often following false reports of ethnic Albanians, as well as of unwarranted postponements of their trials. At the same time, it brings into focus the fact that no Albanian has been arrested, let alone tried, for terrorist acts in which more than a thousand persons have been killed and another thousand kidnapped. Bearing that in mind one is bound to conclude that, by the failure to act and by their patronizing attitude towards ethnic Albanian terrorists, KFOR and UNMIK are directly responsible for the difficult situation in Kosovo and Metohija and its consequences.



I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav Jovanovic
Chargé d'affaires a.i.
